

REMARKS

Claims 1-18 are pending. By this Amendment, Claim 2 is canceled without prejudice or disclaimer, the subject matter recited therein incorporated into Claims 1, 9 and 14 by amendment, and Claims 1, 3-4, 6-9, 11-12, 14 and 17-18 are amended. Applicants respectfully submit that no new matter is presented herein.

Claim Objections

Claims 1, 14 and 18 are objected to for informalities therein. Applicants have amended the claims in a manner believed to be responsive to the objection. As such, Applicants respectfully request withdrawal of the objection.

Claims Rejections – 35 U.S.C. §112

Claim 14 is rejected under 35 U.S.C. §112, second paragraph. Applicants have amended the claim in a manner believed to be responsive to the rejection. As such, Applicants respectfully request withdrawal of the rejection.

Claim Rejections – 35 U.S.C. §102/§103

Claims 1-6, 9-10 and 13-16 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,158,589 to Smith et al. (Smith). Claims 7-8, 11-12 and 17-18 are rejected under 35 U.S.C. §103(a) as being unpatentable over Smith as applied to Claims 1-2, 6, 9 and 14 above, and further in view of U.S. Patent No. 5,975,307 to Harding et al. (Harding). Applicants respectfully traverse both rejections for the following reasons.

Claims 1, 9 and 14 recite a packing box having an inner plate that comprises, among other features, a main plate; a set of first plates which bendably extend parallel to each other from a first common edge defined at each of opposing first ends of the

main plate; and a set of second plates which bendably extend parallel to each other from a second common edge defined at each of opposing second ends of the main plate. Put simply, the main plate has opposing first ends and opposing second ends. At each end (first and second), there is a common edge. From each common edge, a set of plates (first or second) bendably extend parallel relative to each other. See Figures 2-5 of the instant application.

Applicants respectfully submit that Smith and Harding, alone or in any combination thereof, disclose, teach or suggest such features.

For example, the first plates (3, 4) of Smith do not extend from a common edge at each end of the main body (2). Rather, the plates extend from the opposing first ends of the main body (2). See Figures 1-3 of Smith. Applicants respectfully submit the same is true for the remaining embodiments disclosed by Smith. See, for example, Figures 4-6 where plates (12, 14) extend from opposing first ends of the main body (16) but not at the same or common first edge.

Returning to Figures 1-3 of Smith, if one were to argue that the plates (3, 7) and (4, 9) form or define sets of first plates at opposing first ends of the main body (2), such plates (3, 7) and (4, 9) do not extend from a common edge at their respective opposing first ends as plate (7) extend from a different or uncommon edge than the plate (3). The same applies for plates (4 and 9).

With respect to Harding, Applicants respectfully submit the same argument applies as was discussed above with respect to Smith. For example, the first plates (26, 26) of Harding do not extend from a common edge at each opposing first end of the main body (22). Rather, the plates (26, 26) extend from the opposing first ends of the

main body (22). Moreover, the second plates (30, 30) of Harding extend from opposing second ends of the main body (22) and do not extend from a common edge defined at each opposing second end of the main body. See Figures 1-4 of Harding. Applicants respectfully submit the same is true for the remaining embodiments disclosed by Harding. See, for example, Figures 4-6 where plates (12, 14) extend from opposing first ends of the main body (16) but not at the same or common first edge.

Though cited but not applied in the rejection of Claims 1-18, Applicants note Lofgren et al. and Jones suffer from the same deficiencies as Smith and Harding.

To qualify as prior art under 35 U.S.C. §102, each and every feature recited by a rejected claim must be disclosed or suggested by the applied art of record. Furthermore, to establish *prima facie* obviousness, each and every feature recited by the rejected claim must be taught or suggested by the applied art of record.

As explained above, Smith, Harding, Lofgren et al. and Jones, alone or in any combination thereof, fail to disclose, teach or suggest each and every feature recited by Claims 1, 9 and 14. Therefore, Applicants respectfully submit that Claims 1, 9 and 14 are not anticipated by, or rendered obvious in view of Smith, Harding, Lofgren et al. and Jones. Accordingly, Applicants respectfully submit that Claims 1, 9 and 14 should be deemed allowable.

Claims 3-8 depend from Claim 1. Claims 10-13 depend from Claim 9. Claims 15-18 depend from Claim 14. It is respectfully submitted that these dependent claims be deemed allowable for at least the same reasons Claims 1, 9 and 14, respectively, are allowable, as well as for the additional subject matter recited therein.

Applicants respectfully request withdrawal of both rejections.

Conclusion

In view of the foregoing, reconsideration of the application, withdrawal of the outstanding objection and rejections, allowance of Claims 1 and 3-18, and the prompt issuance of a Notice of Allowability are respectfully solicited.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300, **referencing docket number 107391.00005.**

Respectfully submitted,
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